

## Darrell Sloan Cockcroft

Partner

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512-703-5094



Darrell practices civil trial law with an emphasis on personal injury and wrongful death claims, fine art insurance litigation, products liability, construction law, premises liability, dram shop cases and insurance bad faith actions. His background also includes toxic tort litigation, probate matters, civil rights actions, free speech claims and commercial litigation.

Darrell has represented international corporations and insurance companies, as well as small businesses and individuals, throughout the state and federal courts of Texas and the Southwest. He has litigated cases involving mechanical bulls, dead horses, swarming Africanized bees, mixed martial arts, television preachers, roller coasters, free speech, internet dating websites, sexually explicit text messages, engagement rings, strip clubs, barbeque joints, exercise equipment, Christmas tree lights, Ferrari sports cars, Harley-Davidsons, pit bulls, horse-drawn carriages, diet drugs, saber tooth tiger fossils, natural disasters, forest fires, hurricanes, the Texas A&M bonfire, hydraulic fracking, 1980s synth-pop bands, rap stars, celebrity gossip bloggers, priceless fine art, worthless neon artwork, and many other interesting, oftentimes offbeat, matters.

Darrell has two sons who are active in lacrosse, football, swimming, gaming, and drums. In his spare time, he likes to check out live music around Austin, coach his sons, run Lady Bird Lake, sample new restaurants and food trailers around town, and occasionally gamble. Darrell is working his way through the Texas Monthly 50 Best BBQ Joints list. At last count, he has eaten at over half of the places on the list, the best of which so far has been 2M Smokehouse in San Antonio.

On his mother's side, Darrell traces his ancestry back to colonial pre-revolutionary America. Both his mother and sister are members of Daughters of the American Revolution. On his father's side, Darrell traces his ancestry through Belfast, Northern Ireland and ultimately Ellis Island, through which his paternal grandfather Cecil Cockcroft and grandmother Annie Sloan passed on their immigration to the United States, shortly after which his father Robert was born. Darrell's father enlisted in the US Army in 1943 during World War II and served in the Philippines and the Allied post-war occupation of Japan. The Cockcrofts originally hailed from York, England (hence the very un-Irish surname) but in 1798, Matthew Cockcroft was sent to Belfast during the Irish Rebellion as a member of the Yorkshire Fencibles infantry regiment and decided to

stick around Northern Ireland, no doubt due to a local girl, after England quelled the insurrection.

## Representative Experience

Tried lawsuit to take-nothing judgment in bench trial involving prize show horse that died under mysterious circumstances.

Tried first five lawsuits to reach jury involving claims resulting from smoke damage during the Bastrop wildfire, the largest wildfire in Texas history.

Resolved over 2,000 residential and commercial claims resulting from Hurricanes Katrina, Rita, Dolly, Ike and Harvey on Gulf Coast on behalf of large and small insurance carriers.

Worked as plaintiff attorney for two years after law school including representation of terminated assistant police chiefs in civil rights lawsuits against city and representation of victims of Texas A&M bonfire collapse.

Secured summary judgment in federal district court and affirmation by circuit court of appeals in First Amendment case in which claimant alleged that public library's refusal to engrave a sidewalk brick with inflammatory comments about library personnel during a fundraising drive violated free speech rights.

Represents various local bars, restaurants, music promoters and artists, in lawsuits involving alcohol-related incidents, including several high-profile cases arising from events during South By Southwest and Austin City Limits Music Festival.

Tried lawsuits involving underinsured motorist claims under personal and commercial auto policies, including one case in which a Tarrant County jury awarded substantially less than amount of damages conceded by defendant.

Tried lawsuits to favorable verdicts involving claims for mold damage to commercial and residential properties during "mold crisis."

Represented nationally televised evangelist and ministry against personal injury claim allegedly incurred during rush to stage by parishioner attending crusade.

Resolved dram shop cases against various gentlemen's clubs in Dallas/Fort Worth area during time when certain local municipalities sought to ban such establishments.

Represented American manufacturer of roller coasters against personal injury claim allegedly incurred on ride at Six Flags Fiesta Texas in San Antonio.

Represented individual who accidentally started largest forest fire in Utah history (the Mustang Fire) against claim by federal government to recover fire suppression costs and resolved lawsuit for less than 3 percent of total fire suppression costs.

Represented international pharmaceutical companies in fen-phen diet drug class actions.

Tried lawsuit in which client cut down trees on neighbor's property without permission despite neighbor's prior written warning to neighborhood after similar previous incident, resulting in verdict for less than half of Plaintiff's damage model.

Represented jail inmate in civil rights case against rural county sheriff's office for ignoring pleas to stop sexual abuse by cellmate that resolved in large six-figure settlement.

Obtained summary judgment in toxic mold case alleging \$15 million in damages to luxury property on behalf of subcontractor who worked on construction of home.

Secured Anti-SLAPP victory on behalf of homeowners association against disgruntled homeowner who was assessed penalties for violations of community's restrictions and sued homeowners association over penalties, including award of attorney fees against homeowner under Anti-SLAPP statute.

Represented real estate agent and broker in lawsuit brought by client buyers who alleged agent should have discovered structural deterioration due to stucco façade prior to sale of home during inspection, resulting in full defense verdict at trial, including award of attorney fees against client pursuant to contract with broker.

Represented high school student who allegedly circulated naked photo of classmate to other students and staff, resulting in favorable settlement of "revenge porn" lawsuit.

Obtained judgment against rogue employee who stole over \$1 million from employer to finance lavish lifestyle.

Represented self in divorce, proving Abraham Lincoln's adage that "he who represents himself has a fool for a client."

## **Related Services**

[Business and Commercial](#)

[Construction](#)

[General Liability/Catastrophic Injury](#)

[Insurance](#)

[Products Liability & Mass Torts](#)

## **Publications & Speaking Engagements**

**Highbrow Meets Lowbrow: Part 1 - the Rarefied World of Art Law and Part 2 - Crazy Sh\*t From Depositions and Lawyer Advertisements**

Austin Bar Association

July 2013

**Fine Art Insurance Issues: A Selected Case Law Survey (Update)**

Thompson Coe Webinar

January 2013

**Art Smart: Knowing and Protecting the Value of Your Collection**

Presenter

Dallas Art Fair

April 13, 2012

**To Invoke or Not to Invoke: The Appraisal Process and What it Can and Cannot Do for You**

May 16, 2005

**Thompson Coe's 4th Annual Seminar on Texas Insurance Law Developments,**

presenter

December 2004

**Litigation Update**

Presenter and Host

Thompson Coe Seminar

October 9, 2014

**Factoring Companies: An End-Around the Paid or Incurred Statute or Just Another Trick Play?**

Presenter

Thompson Coe Webinar

**Fine Art Insurance Issues: A Selected Case Law Survey**

Texas Accountants and Lawyers for the Arts

Spring 2012

**Marijuana, CBD, Vaping: Smoking Out Insurance!**

Presenter

Thompson Coe Webinar

**Education, Admissions & Activities**

**EDUCATION**

The University of Texas School of Law

J.D., 1998

studied abroad in Mexico City, Mexico & London, England

University of Richmond

B.A., 1993

English and Government

#### BAR ADMISSIONS

Texas

1998

New York

2013

#### COURT ADMISSIONS

United States District Court of Texas

Northern, Southern, Western and Eastern

United States Court of Appeals, Fifth Circuit

#### PROFESSIONAL AND COMMUNITY ACTIVITIES

New York State Bar Association

Austin Bar Association

Texas Association of Defense Counsel

Defense Research Institute

Meals on Wheels

Volunteer

Big Brothers Big Sisters of Central Texas

Mentor

Texas Accountants and Lawyers for the Arts

Volunteer

Westlake Youth Lacrosse

Coach

University of Texas Law Mentoring Program

Mentor to first year law student

Austin Young Lawyers Association Community First Village Legal Clinic

Volunteer